

1 EXPEDITE

2 Hearing is set

3 Date: _____

4 Time: _____

5 Judge: _____

6 Calendar: _____

7 **SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY**

8
9 LORRAINE J. CRAMER, an individual,)

No. 14-2-02109-4

10 Plaintiff,)

**STIPULATION AND JUDGMENT
VACATING STREET/ALLEY**

11 vs.)

12
13 CITY OF OLYMPIA, a Municipal Corporation,)

14 Defendants.)

15 **I. STIPULATION**

16 COMES NOW Plaintiff, LORRAINE J. CRAMER, by and through her attorney
17 Thomas J. Westbrook, and the Defendant, CITY OF OLYMPIA, by and through Deputy
18 City Attorney, Darren Nienaber, and hereby stipulate that the facts alleged in the
19 Complaint in this matter are true, that the alley/street described in the portions of Block
20 5 of Fourth Street Addition to Olympia, as recorded in Volume 3 of Plats, page 45, as
21 alleged in the Complaint have been vacated by operation of law, and stipulate to the
22 entry of the following judgment.

23
24 DATED this ___ day of November, 2014.

25
26 _____
27 Darren Nienaber, WSBA #30764
Asst. City Attorney, City of Olympia

_____ Thomas J. Westbrook, WSBA #4986
Attorney for Plaintiff, Lorraine Cramer

1 **II. ORDER**

2 THIS MATTER having come before this Court upon the stipulation of the parties
3 above contained, and the Court being fully advised in the premises, now, therefore, it is
4 hereby

5 ORDERED, ADJUDGED AND DECREED that the below described dedicated
6 alley/street area has been previously vacated by operation of law, pursuant to laws of
7 1889, 1890, Section 32, Chapter 19 which provides as follows:

8 Any county road, or part thereof, which has heretofore been, or may
9 hereafter be authorized, which remains unopened for public use for the
10 space of five years after the order is made or authority granted for opening
11 the same, shall be, and the same is hereby vacated, and the authority for
building the same barred by the lapse of time.

12 which is the sole law being applied to this case; and,

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the vacated
14 area described as:

15 The right of way known as the easterly ½ of the alley adjoining the Cramer
16 property, being Lot 20 and the South ½ of Lot 21 of Block 5 of Fourth
Street Addition to Olympia, as recorded in Volume 3 of Plats, page 45,
17 all within said Block 5 of Fourth Street Addition to Olympia is declared vacated by
18 operation of law and the City of Olympia has no interest or title in or to said vacated
19 alley/street or right of way and said area comprising the right of way is hereby vested by
20 operation of the above-referenced law and title thereto is now and hereafter merged into
21 and within the Cramer property being said Lot 20 and the South ½ of Lot 21 of Block 5
22 of Fourth Street Addition to Olympia, as recorded in Volume 3 of Plats, page 45.

23 DONE this ___ day of December, 2014

24 _____
25 JUDGE/COURT COMMISSIONER

26 Presented by:
27 LAW OFFICE OF

28 STIPULATION AND JUDGMENT
VACATING STREET/ALLEY
Page 2

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1 THOMAS J. WESTBROOK, PLLC.

2 BY: _____
3 THOMAS J. WESTBROOK, WSBA #4986
4 Attorney for Plaintiff, Lorraine J. Cramer

5
6 Approved as to Form, Notice of
7 Presentation Waived:

8
9 _____
10 Darren Nienaber, WSBA #30764
11 Deputy City Attorney, City of Olympia